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U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

United States District Court
for the
District of Minnesota

Lisa A. Biron,
Plaintiff,

v.

Michael Carvajal, et al.,
Defendants

Case no. 20-cv-2110 (wmw/ECW)



Response to Defendants'
Notice of Related Case

On October 13, 2020, Plaintiff received Defendants' Notice of Related Case which identified Biron v. Sawyer, et al., 19-cv-057 (SRN/LIB) and Biron v. Sawyer, et al., 19-cv-2938 (SRN/LIB) as related cases.

Defendants did not request a non-random re-assignment of this present case to the Judge and magistrate who presided over the prior cases, and Plaintiff Objects to any non-random reassignment of this case because the prior cases are not related.

One district court explained that random assignment of cases is the general rule as this "'ensure[s] greater public confidence in the integrity of the judicial process[,]... guarantees fair and equal distribution of cases to all judges, avoids public perception or appearance of favoritism in assignments, and reduces opportunities for judge-shopping.'" Wilderness Soc'y v. Bernhardt, no. 20-1176, 2020 U.S. Dist. LEXIS 96469, at *4 (D.D.C. June 2, 2020) (quoting Tripp v. Exec. Office of President, 196 F.R.D. 201, 202 (D.D.C. 2000)). An exception to this general rule may

apply to related civil cases in the interest of judicial economy. Id. In this regard, civil cases "are deemed related when the [earlier cases are] still pending on the merits in the District Court and they (i) relate to common property, or (ii) involve common issues of fact, or (iii) grow out of the same event or transaction...." Id. at *4-5.

In the present case, neither of the two so-called related cases are pending on the merits. Nor do they relate to common property, involve common issues of fact, or grow out of the same event or transaction as the instant case. The instant case involves the Defendants' interference with Plaintiff's access to the court and with her ability to prepare court documents in violation of the U.S. Constitution and the Administrative Procedures Act. The prior cases involved the interference with Plaintiff's contact with a family member and a challenge to the denial of Plaintiff's access to TRULINCS email.

Wherefore, the Plaintiff Objects to a non-random reassignment of this case.

Respectfully submitted

Lisa Biron

Lisa Biron

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Certification

I certify that a handwritten copy of this Response was mailed to AUSA Erin Secord on this date.

Lisa Biron

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